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**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

CENTER FOR BIOLOGICAL DIVERSITY,  
*et al.*,

Plaintiffs,

v.

BUREAU OF LAND MANAGEMENT, *et al.*,

Defendants,

DESERT VIPERS MOTORCYCLE CLUB,  
*et al.*,

Defendant-Intervenor/Amici Curiae.

Case No: CV 03-2509-SI  
 Related Case No. CV 03-4501-SI

**STIPULATION TO SUPPLEMENT  
 ADMINISTRATIVE RECORD AND  
 MODIFY BRIEFING SCHEDULE, and  
 [PROPOSED] ORDER**

1 Plaintiffs Center for Biological Diversity, Sierra Club, Public Employees for Environmental  
 2 Responsibility, and Desert Survivors, and Federal Defendants Bureau of Land Management  
 3 (“BLM”) and United States Fish and Wildlife Service (“FWS”), and Defendant-Intervenors/Amici  
 4 Curiae Desert Vipers Motorcycle Club, Blue Ribbon Coalition, California Association of 4-Wheel  
 5 Drive Clubs, San Diego Off-Road Coalition, High Desert Multiple Use Coalition, American  
 6 Motorcycle Association District 37, Off-Road Business Association, California Off-Road Vehicle  
 7 Association, and American Sand Association (collectively “Defendant-Intervenors”), having met  
 8 and conferred, hereby stipulate and agree as follows:

9 WHEREAS, on May 20, 2005, and May 25, 2005, Federal Defendants filed the  
 10 administrative records of the actions challenged in this litigation;

11 WHEREAS, on June 3, 2005, Plaintiffs moved to supplement the administrative record with  
 12 three documents, which are attached as Exhibits A through C to Document No. 150 (Declaration of  
 13 Brendan Cummings in Support of Motion to Supplement the Administrative Record), or, in the  
 14 alternative, to have the Court determine that the documents can be considered as extra-record  
 15 evidence;

16 WHEREAS, Federal Defendants have reviewed the documents and do not object to the  
 17 addition of these three documents to the Administrative Record; and

18 WHEREAS, Defendant-Intervenors have consulted with Plaintiffs and Defendants, and have  
 19 requested modification of the briefing schedule such that their summary judgment briefs would be  
 20 filed simultaneously with Federal Defendants’ summary judgment briefs; and

21 WHEREAS, Plaintiffs and Defendants do not oppose Defendant-Intervenors’ request to  
 22 modify the briefing schedule;

23 THEREFORE, THE PARTIES STIPULATE TO AND REQUEST THAT:

24 1. The Administrative Record is hereby supplemented with the three documents  
 25 submitted by Plaintiffs as Exhibits A-C to the Declaration of Brendan Cummings in support of  
 26 Plaintiffs’ Motion to Supplement the Administrative Record, which consist of:

27 a. Excerpts from “The Natural History of the Algodones Dunes, Imperial Valley,  
 28 California,” by Laraine Song, 1974;

b. February 16, 2005, letter from the Center for Biological Diversity to Linda Hansen, BLM California Desert District Manager, with attached exhibits; and

c. December 19, 2002, and July 20, 2004, issues of an online newsletter entitled "BLM California News.bytes."

2. The agreement to supplement the Administrative Record in this case has no precedential value and shall not be used as evidence by Plaintiffs or Federal Defendants in any other dispute as to the appropriate contents of an administrative record.

3. Plaintiffs withdraw their June 3, 2005, Motion to Supplement the Administrative Record.

4. The hearing on Plaintiffs' Motion to Supplement the Administrative Record, currently scheduled for July 29, 2005, at 9:00 a.m., is no longer necessary and should be taken off the Court's calendar.

5. The briefing schedule set forth in the Court's March 23, 2005, Order for Managing Remaining Claims in Case is modified slightly, such that Defendant-Intervenors shall file their summary judgment briefs simultaneously with Federal Defendants. The revised briefing schedule is as follows:

July 8, 2005: Plaintiffs file motion for summary judgment. Memorandum in support no longer than 50 pages.

Aug. 5, 2005: Federal Defendants and Defendant-Intervenors file response/cross-motions for summary judgment. Memorandums in support no longer than 50 pages.

Aug. 19, 2005: Plaintiffs file response/reply. Memorandums in support no longer than 50 pages.

Sept. 2, 2005: Federal Defendants and Defendant-Intervenors file replies. Memorandums in support no longer than 25 pages.

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Sept. 15, 2005, at 3:00 p.m.: Hearing on cross-motions for summary judgment.

Dated: June 30, 2005

Respectfully submitted,

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s/  
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s/ \_\_\_\_\_ authorized on June XXXXX, 2005  
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: \_\_\_\_\_

SUSAN ILLSTON  
U.S. DISTRICT JUDGE

